IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.32226 of 2008
ABHISHEK KUMAR ABISHEK KUMAR
Versus
UNION OF INDIA THROUGH C.B.I.
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3. 23.10.2008. Heard both sides.

Petitioner apprehended his arrest in a case under section 420 besides some other sections of the Penal Code.

The report has not been submitted. However, it is orally submitted that mark sheet and certificate of Intermediate examination have been supplied to the petitioner by the Board.

It is submitted by the learned counsel for the petitioner that the petitioner has not obtained service on the basis of any forged mark sheet or certificate. The mark sheet and certificate were supplied by the Bihar School Examination Board. Recently also the petitioner obtained the mark sheet and certificate from Bihar Intermediate Education Council, which are similar to those earlier filed by the petitioner at the time of appointment. In support of it, Annexure 2 and Annexure 3 series have been filed. On the other hand, the learned counsel for the C.B.I. submitted that actually, this petitioner obtained much less marks than the mark shown in the mark sheet issued by the Intermediate Council.

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Considered the submission of the learned counsel for both the parties and also the Annexures 2 and 3 series. Annexures 2 and 3 series would go to show that recently, the Bihar Intermediate Education Council has issued the mark sheet and certificate in favour of the petitioner which are similar to those issued earlier and filed by

the petitioner at the time of the appointment. At all, there is no discrepancy.

In the facts and circumstances of the case, in case of arrest or surrender before the court below within six weeks of receipt of this order, petitioner, namely, Abhishek Kumar @ Abishek Kumar is directed to be released on bail on his furnishing bond of Rs.5,000/- (five thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Spl. J.M., C.B.I., Patna in C.B.I./ACB R-C 26/A)/2007, subject to the condition as laid down under section 438(2) Cr.P.C.

(Ghanshyam Prasad)

N.H./

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